

# **EXHIBIT 12**

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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**IN RE GOOGLE PLAY STORE  
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

*Epic Games Inc. v. Google LLC et al.*,  
Case No. 3:20-cv-05671-JD

Case No. 3:21-md-02981-JD

**DEFENDANTS' RESPONSES AND  
OBJECTIONS TO PLAINTIFF  
CONSUMER' FIRST SET OF REQUESTS  
FOR ADMISSION**

Case No. 3:21-md-02981-JD

DEFENDANTS' RESPONSES AND  
OBJECTIONS TO PLAINTIFF  
CONSUMER'S FIRST SET OF RFAS

1 admits that apps on devices running iOS or Android may access some, but not all, of the APIs  
2 within the Google Play Services SDK suite without Google Mobile Services having been  
3 preloaded on the device.

4 **REQUEST FOR ADMISSION NO. 9:**

5 Admit that in the United States, an App distributed through Google Play may only offer  
6 In-App Purchases through Google Play if it uses Google Play Billing and may only be updated  
7 through Google Play.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 9:**

9 Google objects to this Request as impermissibly compound. Subject to and without  
10 waiving the foregoing objections, Google admits that an app distributed through Google Play in  
11 the United States may only be updated through Google Play. In all other respects, Google denies  
12 Request No. 9.

13 **REQUEST FOR ADMISSION NO. 10:**

14 Admit that when Consumers obtain Apps from Google Play they pay Google directly for  
15 any Apps or In-App Purchases.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 10:**

17 Google objects to this Request as vague and ambiguous in its use of the terms "obtain"  
18 and "directly." Subject to and without waiving the foregoing objections, Consumers may  
19 purchase apps or in-app purchases through methods including direct carrier billing and gift cards,  
20 and on this basis, Google denies Request No. 10.

21 **REQUEST FOR ADMISSION NO. 11:**

22 Admit that this Litigation was a factor in Google's decision to reduce the revenue share  
23 from 30% to 15% on the first \$1 million of developer earnings effective July 1, 2021.

**RESPONSE TO REQUEST FOR ADMISSION NO. 11:**

Google admits that this Litigation was one factor considered in its decision to announce the service fee reduction on developers' first \$1 million in annual revenues, along with other factors including Google's competition with Apple.

**REQUEST FOR ADMISSION NO. 12:**

Admit that this Litigation was a factor in Google's decision to reduce the revenue share from 30% to 15% on subscription developer earnings effective January 1, 2022.

**RESPONSE TO REQUEST FOR ADMISSION NO. 12:**

Google denies that this Litigation was a factor considered in its decision to reduce its revenue share from subscription developers from 30% to 15%.

**REQUEST FOR ADMISSION NO. 13:**

Admit that during the time period January 1, 2008, through and including the present, Google paid some mobile carriers revenue share in part to encourage them to promote Google Play over their own App Stores.

**RESPONSE TO REQUEST FOR ADMISSION NO. 13:**

Google objects to this Request as vague and ambiguous in its use of the phrases "revenue share," "some mobile carriers," and "to encourage them to promote Google Play over other App Stores." Google further objects to this Request as overbroad and unduly burdensome as to time. Subject to and without waiving the foregoing objections, Google admits that during the time period January 1, 2008 through the present, it has paid revenue share to certain mobile carriers. In all other respects, Google denies Request No. 13.

1 Dated: August 22, 2022

**MORGAN, LEWIS & BOCKIUS LLP**

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Sujal J. Shah  
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Minna Lo Naranjo  
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Respectfully submitted,

By: /s/ Brian C. Rocca  
Brian C. Rocca

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Stephen J. McIntyre

Respectfully submitted,

By: /s/ Ian Simmons  
Ian Simmons

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By: /s/ Glenn D. Pomerantz  
Glenn D. Pomerantz

*Counsel for Defendants*

**PROOF OF SERVICE**

I am a citizen of the United States and employed in Los Angeles, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is Morgan, Lewis & Bockius LLP, 300 South Grand Avenue, 22<sup>nd</sup> Floor, Los Angeles, CA 90071.

On August 22, 2022, I served the foregoing document titled:

**DEFENDANTS' RESPONSES AND OBJECTIONS TO PLAINTIFF CONSUMER' FIRST SET OF REQUESTS FOR ADMISSION**

by transmitting via electronic mail the document listed above to each of the parties set forth below using the parties' designated electronic service lists epic-mobileapps@cravath.com; StatesGooglePlayLeads@agutah.gov; googleappconsumercounsel@bartlitbeck.com; DevelopersvGoogle@hausfeld.com; matchgroup@hueston.com:

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*Counsel for Match Group Inc., et al.*

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 22, 2022 at Los Angeles, California.

/s/ Wogai Mohmand  
Wogai Mohmand